

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

KAPAK COMPANY, LLC,

Civil No. 09-0934 (JRT/SRN)

Plaintiff,

v.

ORDER FOR DISMISSAL

THE J.M. SMUCKER COMPANY, *et al.*,

Defendants.

Christopher Sorenson, Daniel McDonald, and Elizabeth Zidones,
MERCHANT & GOULD PC, 80 South Eighth Street, Suite 3200,
Minneapolis, MN 55402, for plaintiff.

Pursuant to the Plaintiff's Notice of Dismissal filed on September 9, 2009
[Docket No. 12],

IT IS HEREBY ORDERED that with respect to the Complaint filed on April 22,
2009 the claims asserted against Defendants The Hain Celestial Group, Inc. and Celestial
Seasonings, Inc. are hereby **DISMISSED, WITH PREJUDICE** and on the merits, but
without costs or disbursements to any party hereto.

Judgment may be entered accordingly.

DATED: September 9, 2009
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge